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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,785	02/25/2002	Howard W. DeMoore	4040-02800	5468
30652	7590	06/16/2005		
CONLEY ROSE, P.C. 5700 GRANITE PARKWAY, SUITE 330 PLANO, TX 75024			EXAMINER CRENSHAW, MARVIN P	
			ART UNIT 2854	PAPER NUMBER

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary

Application No.

10/083,785

Applicant(s)

DEMOORE ET AL.

Examiner

Marvin P. Crenshaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on the amendment filed on 03/07/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 - 4, 8, 15, 19, 24 and 36 is/are allowed.
- 6) ☒ Claim(s) 5, 6, 9 - 13, 16, 17, 20 - 22, 25 - 29, 31, 33, 34, 39, 40, 45 - 49 and 52 - 56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

Continuation of Disposition of Claims: Claims pending in the application are 2 - 6, 8 - 13, 15 - 17, 19 - 22, 24 - 29, 31, 33, 34, 36, 39, 40, 45 - 49 and 52 - 56.

DETAILED ACTION

Allowable Subject Matter

Claims 2 – 4, 8, 15, 19, 24 and 36 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6, 9, 10, 13, 16, 17, 20 - 22, 25 – 29, 31, 33, 34, 39, 40, 45 - 49 and 52 - 56 are rejected under 35 U.S.C. 103 (a) as being unpatentable over DeMoore et al. (5,979,322) in view of Koelsch.

With respect to claim 45, 39, 40, 46, 52 and 56, DeMoore teaches an integrated anti-marking cover for a transfer cylinder in a rotary printing press comprising a flexible jacket covering (Fig. 4) attached with adhesive to a base cover. However, DeMoore doesn't teach the flexible jacket covering stitched to the cylinder base cover.

Koelsch teaches a flexible jacket covering stitched to a carrier sheet (36) on a cylinder.

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It would have been obvious to modify DeMoore et al. to replace the adhesive connection of Demoore et al. with stitching, since Koelsch teaches that stitching is a secure means for attaching together components of a cylinder assembly.

Furthermore, to use both stitching and adhesive would be obvious for using two known securing means for enhancing attachment.

With respect to claims 5 and 33, DeMoore teaches an integrated cover wherein the flexible jacket covering is sized such that in areas not permanently attached to the cylinder base cover, a predetermined amount of movement of the flexible jacket covering is permitted relative to the cylinder base cover (See col. 1, lines 61 – 65).

With respect to claim 6 and 34, DeMoore et al. teaches the integrated cover wherein the movement in the weft direction is about 1/16 to 4 inches (1.6 to 101.6 mm) and movement in the warp direction is about 1/32 to 1 inch (0.8 to 25.4) (See col. 1, lines 61 – 65).

With respect to claim 9, DeMoore et al. teaches the integrated cover wherein the cylinder base cover is conductive (See Col 11, lines 37 – 39).

With respect to claim 10, DeMoore et al. teaches the integrated cover wherein the conductive cylinder base cover further comprises a layer of PTFE (57) adhered to a layer of polyester, the PTFE layer facing the flexible jacket (See col. 8, lines 59 – 65).

With respect to claim 13, the integrated cover further comprising at least one hole therein (Fig. 4).

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With respect to claim 16 and 17, the integrated cover wherein the flexible jacket covering comprises a flexible fabric material having spaced conductive strands (Fig. 14).

With respect to claim 20 and 21, the integrated cover further comprising means (59 and 61) for releasably attaching the integrated cover to the transfer cylinder.

With respect to claim 22, the integrated cover wherein the releasably attachment means include adhesive (59 and 61).

With respect to claim 25 and 26, the integrated cover further comprising means for aligning (110) the integrated cover for attachment to the transfer cylinder.

With respect to claim 27, the integrated cover wherein the alignment means (110) are contrasting alignment stripes in the flexible jacket.

With respect to claim 28, the integrated cover wherein the alignment means further comprises at least one center alignment mark on the gripper edge, the trail edge or both (See Col 8, lines 1 – 12).

With respect to claim 29, the integrated cover wherein the contrasting alignment stripes are the conductive strands (Fig. 14).

With respect to claims 31, 53 and 55, DeMoore teaches the integrated cover (Fig. 3) wherein the flexible jacket covering and cylinder base cover are permanently attached (Col. 13, lines 1 - 5) along their edges by means for permanently attaching.

With respect to claim 32, , DeMoore teaches the integrated cover wherein means for permanently attaching include adhesives (See col. 13, lines 1 - 5).

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With respect to claim 48 and 54, DeMoore teaches the integrated cover further comprising the flexible jacket covering adhered to the cylinder base cover (Col. 13, lines 1 - 5).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeMoore et al. in view of Koelsch and further in view of Okuda et al.

DeMoore et al. as modified by Koelsch teaches all that is claimed in the above rejection, as discussed in claims 5, 6, 9, 10, 13, 16, 17, 20 - 22, 25 - 29, 31, 33, 34, 39, 40, 45 - 49 and 52 - 56, except for the integrated cover wherein the PTFE layer has a smooth surface portion.

Okuda et al. teaches a PTFE layer having a smooth (See Col. 6, lines 48 - 56) surface portion. It would have been obvious to further modify the integrated cover of DeMoore et al. to have a PTFE layer having a smooth surface portion as taught by Okuda et al. because it has a low coefficient of friction so that the cleaning blade can move smoothly to clean the cover.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeMoore et al. in view of Koelsch and further in view of Hannon.

DeMoore et al. as modified by Koelsch teaches all that is claimed in the above rejection as discussed in claims 5, 6, 9, 10, 13, 16, 17, 20 - 22, 25 - 29, 31, 33, 34, 39, 40, 45 - 49 and 52 - 56, except for the integrated cover wherein the PTFE layer has a textured surface. Hannon teaches a PTFE layer having a textured (See Col. 3, lines 58 - 65) surface. It would have been obvious to further modify DeMoore et al. to have an

integrated cover wherein the PTFE layer has a textured surface as taught by Hannon because the textured surface is very effective to retain print media thereon and therein.

Response to Arguments

Applicant's arguments filed 03/07/2005 have been fully considered but they are not persuasive. Specifically, DeMoore teaches all that is claimed in having a flexible jacket covering being attached to a cylinder base cover. Koelsch teaches the technique of stitching.

With respect to applicant's argument of "DeMoore disclosing two separate and distinct components comprising of the cylinder base cover and a flexible jacket covering" the result is an integrated anti-marking cover. With DeMoore being modified by Koelsch stitching, the result is a single component integrated anti-marking cover.

With respect to applicant's argument of Koelsch "not relating to the same invention", although they are different type of printing apparatus, Koelsch was used to teach stitching is a good securing means during a printing application. Koelsch is only relied upon to teach stitching. Koelsch was used in the rejection for replacing one known fastening means with another.

With respect to applicant's argument of "Kolesch teaches or suggests that the cylinder base cover (62) of DeMoore can be modified to include a lead edge strip stitched thereto", is moot because the Examiner did not make this modification.

With respect to applicant's argument of "Kolesch teaches that stitching is a securing means", Koelsch stitching teaches a secure and permanent means

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where the carrier sheet will not come apart from the web while printing. Also, applicant's argument of the Examiner's proposed modification is inoperable, Examiners disagree. Examiner feels that the modification can be done because the cylinder base cover and the flexible jacket covering can be attached together to form a single component prior to installation on the transfer cylinder.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MPC
May 25, 2005


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